

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

ERNEST MERRILL, LILA MERRILL)

Plaintiffs,)

v.)

COUNTY OF MADERA, et al.,)

Defendants.)

CV F 05-0195 AWI SMS

ORDER VACATING APRIL 25, 2005,
HEARING DATE AND TAKING
MOTIONS UNDER SUBMISSION

Defendants' motions to dismiss for failure to state a claim, dismiss for lack of subject matter jurisdiction, and for a more definite statement has been set for hearing on April 25, 2005. The court has reviewed the moving papers, oppositions, reply, and relevant documents and has determined that these motions are suitable for decision without oral argument. Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of April 25, 2005 is VACATED, and the parties shall not appear at that time. As of April 25, 2005, the court will take these motions under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: April 20, 2005
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE